



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: May 19, 2006 Name: Trevor K. Copeland Signature: Trevor K. Copeland

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: CHANDRA BANERJEE, et al.

Appln. No.: 10/625,762

Filed: July 22, 2003

For: CHEMICAL HEAT SOURCE FOR USE IN
SMOKING ARTICLES

Attorney Docket No: 11867-10

Examiner: D. Walls Mayes

Art Unit: 1731

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Response to Restriction/Election Requirement.
 Return Receipt Postcard

Fee calculation:

No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(____).
 An additional filing fee has been calculated as shown below:

		Small Entity			Not a Small Entity			
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus		x \$25=			x \$50=	
Indep.		Minus		x 100=			x \$200=	
First Presentation of Multiple Dep. Claim				+\$180=			+\$360=	
				Total	\$		Total	\$

Fee payment:

A check in the amount of \$ _____ is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$ _____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Trevor K. Copeland (Reg. No. 50,292)

Date

5/19/2006



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:

May 19, 2006

Date of Deposit

Trevor K. Copeland, Reg. No. 50,292

Name of applicant, assignee or
Registered Representative

Signature

5/19/2006

Date of Signature

Our Case No. 11867/10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
CHANDRA BANERJEE, et al.)
Serial No. 10/625,762) Examiner D. Walls Mayes
Filing Date: 7/22/2003) Group Art Unit No. 1731
For CHEMICAL HEAT SOURCE FOR USE IN)
SMOKING ARTICLES)
)

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to an Office Action/ Restriction Requirement dated May 2, 2006, Applicants hereby file this Response by Certificate of Mailing. Applicants provisionally elect "Species II" with traverse and respectfully request examination of the application on the merits. As required, Applicants identify claims 19-42 and 57-71 as

encompassing the alleged species disclosed in "Species II." Applicants traverse the restriction requirement on the basis that all species of the present invention are within the scope of the claims of the pending application, and that the claimed invention as disclosed in the specification, drawings, and claims is subject to search and examination without placing a serious burden upon the Examiner. No claims are cancelled and no argument is made with regard to patentable distinctiveness by this Response.

Respectfully tendered,



Trevor K. Copeland
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Attorney for Applicants

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